



PRESCRIBED PEDIATRIC EXTENDED CARE CENTERS GUIDANCE FOR PARTIAL IMPLEMENTATION OF THE INTERSTATE NURSE LICENSURE COMPACT

August 2023

The Department of Health (Department) provides this guidance to address whether prescribed pediatric extended care centers can employ or contract with registered nurses (RNs) and licensed practical nurses (LPNs) holding an active multistate license (MSL).

Background

[Act 68 of 2021](#) authorizes the Commonwealth of Pennsylvania's entrance into the interstate Nurse Licensure Compact (Compact). Participation in the Compact allows a state to issue its resident nurses an MSL, which permits the licensee to practice in any other Compact state. In accordance with the [Pennsylvania Department of State](#), the Commonwealth is partially implementing the Compact by permitting RNs and LPNs residing in other Compact states and holding an active MSL (eligible MSL nurses) to practice in Pennsylvania.

To facilitate the partial implementation of the Compact, the Department has identified the statutory requirements that may be a barrier and developed this guidance to address whether those requirements would prevent prescribed pediatric extended care centers seeking to utilize eligible MSL nurses.

The following statutory requirements have been identified as potential barriers to prescribed pediatric extended care centers:

35 P.S. § 449.7(b)(3).

This statutory provision requires that pediatric extended care center administrators meet one of several qualifications including being a certified registered nurse practitioner (CRNP) licensed in the Commonwealth, or a registered nurse.

CRNPs are required to be licensed in the Commonwealth and are not contemplated by the Compact and so must continue to be licensed in the Commonwealth to serve as an administrator at a prescribed pediatric extended care center.

RN administrators are not required by this statutory provision to be licensed in the Commonwealth; therefore, MSL nurses may serve in this capacity.

All other qualifications provided for by this statutory provision are unaffected by the Compact.



35 P.S. § 449.7(b)(4)

This statutory provision requires that a supervisor for a prescribed pediatric extended care center hold a valid professional license issued by a Commonwealth licensing board. An MSL would not meet the requirements of the statutory provision. Therefore, a prescribed pediatric extended care center may not utilize MSL nurses to serve as a supervisor.

35 P.S. § 449.7(b)(5)

This statutory provision requires that direct caregiving staff meet one of several qualifications including being an LPN or RN. **LPN/RN direct caregiving staff are not required by this statutory provision to be licensed in the Commonwealth; therefore, MSL nurses may serve in this capacity.**

All other qualifications provided for by this statutory provision are unaffected by the Compact.

MSL Compact Structured Exception Request Is Not Available for Prescribed Pediatric Extended Care Centers

MSL Compact structured exception requests are only available pursuant to the Department's authority under 28 Pa. Code § 51.31, that authorizes the Department to grant exceptions to state regulations. Prescribed pediatric extended care centers currently operate only under statutory authority.

Other Information

Facilities who want to verify the status of a nurse's MSL can go to www.nursys.com, the National Council of State Boards of Nursing's (NCSBN) central repository for licensing information, and click on "Quick Confirm."

Prescribed pediatric extended care centers are required to maintain full or substantial compliance with all applicable regulations. The purpose of this document is to provide guidance to prescribed pediatric extended care centers on utilizing eligible MSL nurses and is not an exhaustive list of regulatory requirements. Nothing in this guidance should be construed as affecting or interpreting any Federal or State law or regulation outside of the Department's jurisdiction that may limit the ability of prescribed pediatric extended care centers to utilize eligible MSL nurses.

Please contact the Division of Home Health if you have questions that are not addressed by the guidance. The Division of Home Health can be reached by email at ra-dhhomehealth@pa.gov.